



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Northwest Region  
7600 Sand Point Way N.E., Bldg. 1  
Seattle, WA 98115

Refer to:

OSB1999-0108-PC-RI

OSB1999-0152-PC-RI

September 25, 2001

Ms. Elaine Zielinski  
State Director, OR/WA  
USDI Bureau of Land Management  
1515 SW Fifth Avenue  
Portland, Oregon 97201

Mr. Harv Forsgren  
Regional Forester, Region 6  
USDA Forest Service  
333 SW First Avenue  
Portland, Oregon 97208-3623

Re: Re-Issuance of Incidental Take Statements for Two Programmatic Biological Opinions  
Covering U.S. Forest Service and Bureau of Land Management Administrative Units  
Within the Lower Columbia River and Upper Willamette River Provinces, Oregon and  
Washington

Dear Ms. Zielinski and Mr. Forsgren:

This responds to your August 28, 2001 letter requesting an extension of the incidental take statements (ITS) for the above referenced programmatic biological/conference opinions (Opinions) issued by the National Marine Fisheries Service (NMFS). The subject Opinions are the June 3, 1999, Opinion for the Lower Columbia River Province (OSB99-0108) and the July 28, 1999, Opinion for the Upper Willamette Province (OSB99-0152). The Opinions cover multiple evolutionarily significant units (ESU) of anadromous fish occurring within a number of administrative units in the two geographic provinces (see Table 1 below). The programmatic actions described in the subject Opinions were considered *likely to adversely affect* all ESUs identified in the table below. In a June 5, 2000, letter (OSB2000-0124) to you, NMFS extended the ITS for the above referenced Opinions. That extension expires on September 30, 2001. The NMFS finds it appropriate to again extend the ITS from these two Opinions until such time that new biological opinions covering these activities are issued, but for a period not to exceed September 30, 2002.

Because the agencies have been working collaboratively to refine terms and conditions to minimize incidental take from programmatic activities, NMFS initially chose to limit the ITS in each of the Opinions to a one year period so that they could be reviewed and improved if necessary at the end of the one year period. Each ITS required that specific project monitoring



data be collected by the action agencies and provided to NMFS for review prior to extending the ITS for a subsequent term.

Table 1. List of geographic areas and corresponding administrative units and ESUs for which the Opinions apply.

<b>GEOGRAPHIC AREA</b>	<b>ADMINISTRATIVE UNITS</b>	<b>ESU</b>
Lower Columbia River	Mt. Hood National Forest Gifford Pinchot National Forest Columbia River Gorge National Scenic Area Salem District BLM	Upper Willamette River chinook salmon Lower Columbia River chinook salmon Lower Columbia River steelhead Lower Columbia River chum salmon
Upper Willamette	Willamette National Forest Siuslaw National Forest Mt. Hood National Forest Eugene District BLM Salem District BLM	Upper Willamette River steelhead Upper Willamette River chinook salmon

Included with your August 28 letter was a summary of actions, by project category, that have been or are projected to be implemented between June/July 2000 and September 2001. Also included were projected actions within each 5<sup>th</sup> field watershed for the period October 1, 2001 to September 30, 2002. Those data are incorporated herein by reference. NMFS has reviewed the monitoring and information submitted by the Federal agencies requesting an extension of each ITS in the Opinions for actions affecting the ESUs listed in the table above, and their designated critical habitat on Forest Service and Bureau of Land Management administered lands in the subject geographic provinces. The NMFS participated in several Level I team and agency-specific discussions relative to Opinion implementation, monitoring requirements and Opinion compliance, and agree that the action agencies have complied with the requirements of the Opinions and remain within the scope of action effects described within the Opinions.

Based on the information provided by the action agencies, NMFS has determined that reinitiation of consultation is unnecessary at this time because the scope of the programmatic actions and their expected effects on the subject ESUs and their designated critical habitat remain within the scope of the Opinions, and all other requirements of the Opinions have been met.

The NMFS is aware that new information is being developed that will lead to refinement of terms and conditions to further minimize the likelihood of incidental take from the subject programmatic activities. This process is currently underway, and will likely take several months to complete.

NMFS finds it appropriate to extend the ITS from the Opinions until such time that new Opinions covering these activities are issued, but for a period not to exceed September 30, 2002 (the end of the fiscal year was chosen because this is the normal annual reporting time for the action agencies). NMFS expects the action agencies to reinitiate consultation on these programmatic activities once these new conservation measures are complete.

Please direct any questions regarding this consultation to Michael Tehan of my staff in the Oregon Habitat Branch at 503.231.2224.

Sincerely,

*Michael R Couse*

Donna Darm  
Acting Regional Administrator

cc: Gloria Brown, Siuslaw National Forest  
Darrell Kenops, Willamette National Forest  
Gary Larsen, Mt. Hood National Forest  
Julia Dougan, Eugene BLM  
Denis Williamson, Salem BLM  
Daniel Harkenrider, CRGNSA  
Claire Lavendel, Gifford Pinchot National Forest